

DAN SEALS

DEMOCRAT FOR CONGRESS

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FEDERAL ELECTION
COMMISSION

2010 OCT 14 PM 12:13

OFFICE OF GENERAL
COUNSEL

October 13, 2010

Jeff S. Jordan, Esq.
Federal Election Commission
999 E. Street, N.W.
Washington, DC 20543

Re: MUR 6385

Dear Mr. Jordan:

On behalf of Dan Seals for Congress (the "Committee") and Harry Pascal, as Treasurer, this letter is submitted in response to a letter written to the FEC by Carol Deitch on September 20, 2010. The letter questions whether there was an FEC violation by accepting primary contributions after the primary election. The information that is provided below will prove that the primary contributions that were collected after the primary election were used solely to payoff primary debt. Based on the facts detailed below, the Federal Election Commission should find no reason to believe that Dan Seals for Congress or Harry Pascal violated the Federal Election Campaign Act of 1971, as amended, or the Commission's regulations, and it should dismiss this matter.

I. Facts

Dan Seals is a candidate for United States Congress in Illinois' Tenth Congressional District during the 2010 election cycle. Dan Seals for Congress is an authorized candidate committee.

The Illinois primary was on February 2, 2010 and as of that date the Committee had \$37,809.00 in Primary Debt (schedule is attached). The cash balance as of the close of the Primary election date was \$48,079.00, which included \$41,335.00 in General Election contributions. So the Net Primary Cash Balance was \$6,744.00 (\$48,079.00 - \$41,335.00). Based on these figures the Committee would be allowed to collect \$31,065.00 (\$37,809.00 Primary Debt minus \$6,744.00 Primary cash) in Primary contributions after the Primary date to cover this Net Primary Debt. Attached is a schedule of Primary expenses paid after February 2, 2010 and a list of Primary expenses that are listed as debt on the March 31, 2010 filing. Combined, these total \$37,809.00.

The Committee as of the current date has collected \$30,952.00 in Primary contributions since February 2, 2010 which is \$113.00 less than the amount allowed (\$31,065.00 in net primary debt minus \$30,952.00 in Primary contributions). All these contributions were indicated as Primary contributions. None of these contributors exceeded the federal limit for the Primary election.



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II. Legal Analysis

The Federal Election Campaign Act and the Commission's regulations state the following:

If a committee has net debts outstanding after an election is over, a campaign may accept contributions after the election to retire the debts provided that:

- The contribution is designated for that election (since an undesignated contribution made after an election counts toward the limit for the candidate's upcoming election);
- The contribution does not exceed the contributor's limit for the designated election; and
- The campaign has net debts outstanding for the designated election on the day it receives the contribution.

110.1(b)(3)(i) and (iii).

The Committee as far as it knows computed the debt as indicated under 110.1(b)(3)(ii) and computed the cash on hand as of February 2, 2010 (Primary date) as directed under 110.1(b)(3)(ii)(A) and (B).

III. Conclusion

In sum, Dan Seals for Congress and Harry Pascal met their obligations under the Federal Election Campaign Act and the Commission's regulations. Therefore, for the reasons set forth above, Dan Seals for Congress and Harry Pascal respectfully request that the complaint against them be dismissed.

Sincerely yours,



Harry Pascal

As Treasurer and on behalf of Dan Seals for Congress
847-212-0047

Expenses paid on the 3/31/10 FEC filing:

Callfire.com		300.00	telephone dialing service
Callfire.com		300.00	telephone dialing service
Logan	Laura	650.00	rent
Virgin Mobile		583.20	telephone
North Shore Copier		150.00	copier rental
Paychex		395.82	payroll fees
Strategy Group		1,500.00	Marketing Mailer
Paychex		6,908.35	payroll taxes
Bair	Jesse	343.65	payroll
Calazza	Joe	346.15	payroll
Chandrashekar	Adithi	348.65	payroll
Cornew	Barbara	3,532.97	payroll
Crain	Jamie	1,722.37	payroll
Gevirtz	William (Bill)	343.65	payroll
Mata	Katrina	330.40	payroll
Mayfield	Tracy	181.82	payroll
Michalik	Peter	145.45	payroll
Mogge	Patrick	654.55	payroll
Preston	Eric	343.65	payroll
Rodman	Mimi	3,772.03	payroll
Rothberg	Melissa	2,009.81	payroll
Smith	Eric	500.69	payroll
Villivalam	Ramachandra	355.19	payroll
Walanka	Steven	1,415.62	payroll
Harry A Pascal, Ltd		2,000.00	Accounting & Management Services
Total primary exp-paid		29,134.02	

Primary Expenses, not paid, listed as debt on the March 31, 2010 FEC filing:

Harry A Pascal, Ltd	8,000.00
Lake Cook Plaza	674.58
Total Primary exp, not paid, listed as debt	8,674.58

Total Primary Debt as of February 2, 2010	37,808.60
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